

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|----------------|---|-----------|
| TRACY DIEHM, |) | |
| |) | |
| Plaintiff, |) | 8:04CV130 |
| |) | |
| v. |) | |
| |) | |
| CITY OF OMAHA, |) | ORDER |
| |) | |
| Defendant. |) | |
| _____ |) | |

This matter is before the court on the defendants objections to the deposition of Kurt Hutton, M.D., in particular, 23:21- 24:12 and 33:8-12.

The court finds that the defendant's objection to 23:21- 24:12 to the deposition of Kurt Hutton, M.D. should be overruled. The court also finds the testimony of Dr. Hutton found on 33:8-12 of his deposition is irrelevant and should be stricken.

IT IS THEREFORE ORDERED THAT:

1. Defendant's objection to 23:21- 24:12 of the deposition of Kurt Hutton, M.D. is overruled.
2. Defendant's objection to 33:8-12 of the deposition of Kurt Hutton, M.D. is sustained and this part of the deposition is stricken.

DATED this 16th day of December, 2005.

BY THE COURT:

s/Joseph F. Bataillon
United States District Judge